

# Programs and Divisions Under the Attorney General's Supervision

<b>Domestic Security Preparedness Task Force</b> .....	<b>35</b>	<b>Division of Consumer Affairs</b> .....	<b>41</b>	<b>Juvenile Justice Commission</b> .....	<b>50</b>
❖ Coordination of Domestic Preparedness Planning/Effort		❖ Consumer Protection		❖ Statewide Coordination of Juvenile Services	
❖ Threat Level Responses		❖ Securities Industry Regulation		❖ Delinquency Prevention	
❖ Infrastructure Advisory Committee		❖ Weights and Measures		❖ Education & Rehabilitation	
❖ Schools Protection		❖ Professional Board Oversight		❖ Skills Training	
❖ Preparedness Exercises		<b>Division of Criminal Justice</b> .....	<b>42</b>	❖ Juvenile Parole Supervision	
<b>Office of Counter-Terrorism</b> .....	<b>36</b>	❖ Criminal Investigation and Prosecution		<b>Division of Alcoholic Beverage Control</b> .....	<b>52</b>
❖ Intelligence Gathering/Investigation		❖ Federal Grants, Policy and Research		❖ Licensing	
❖ Centralization/Sharing of Intelligence		❖ Police Training and Education		❖ Regulation	
❖ Counter-Terrorism Training		❖ Securities and Antitrust Prosecutions		❖ Enforcement	
❖ Infrastructure Protection		❖ State Medical Examiner		<b>Division of Highway Traffic Safety</b> .....	<b>53</b>
❖ Critical Asset Tracking System		<b>Division on Civil Rights</b> .....	<b>44</b>	❖ Drunk Driving Enforcement	
<b>Government Integrity</b> .....	<b>37</b>	❖ Civil Rights Enforcement		❖ Highway Safety Administration	
❖ Fiscal Integrity in School Construction		❖ Community Relations		❖ Coordination of Federal Funds	
❖ Criminal Matters		❖ Crisis Intervention		❖ Seatbelt Safety	
❖ Professional Responsibility Unit		❖ Administrative Adjudication		<b>Division of Gaming Enforcement</b> .....	<b>54</b>
❖ Attorney General Referrals		<b>Division of Law</b> .....	<b>46</b>	❖ Operations	
<b>Division of State Police</b> .....	<b>38</b>	❖ Legal Services to Client Agencies		❖ Licensing	
❖ Highway and Marine Safety and Enforcement		❖ Civil Prosecution		❖ Investigations	
❖ Target Criminal Activity Enforcement		❖ Appeals		❖ Intelligence	
❖ Homeland Security		❖ Litigation Practice		<b>Racing Commission</b> .....	<b>55</b>
❖ Emergency Preparedness and Response		❖ Environmental Practice Group		❖ Supervising Live Racing	
❖ Community Outreach/Anti-crime Partnerships		<b>Division of Elections</b> .....	<b>48</b>	❖ Investigations	
❖ Intelligence Services		❖ State Voter Registration		❖ Licensing	
<b>State Police Affairs</b> .....	<b>40</b>	❖ Certify and Publish Election Results		❖ Chemical Testing Program	
❖ Ensures Compliance with Federal Consent Decree		❖ Certify Voting Machines		❖ Audit Pari-mutuel Wagering	
❖ Prosecutes non-criminal SP Discipline Cases		❖ State Ballot Questions and Bond Issues		<b>State Athletic Control Board</b> .....	<b>56</b>
❖ Review SP Internal Affairs Cases		<b>HAVA Implementation Team</b> .....	<b>49</b>	❖ Regulate Public Boxing and Other Combative Sports Exhibitions	
❖ Liaison SP, Independent Monitoring Team U.S. Justice Department		❖ Statewide Voter Registration System		❖ Protect Safety and Well-being of Participants	
		❖ Ensuring HAVA Compliance		❖ Promote Public Confidence and Trust	
		❖ Voter Awareness			
		❖ Voting Technology			
		❖ Training for Local Election Officials and Poll Workers			

# Domestic Security Preparedness Task Force

Chaired by the Attorney General, the Domestic Security Preparedness Task Force was created by the New Jersey Domestic Security Preparedness Act of 2001.

Historically, New Jersey has been home to a well-established cadre of "operational" agencies with expertise that contributes to a comprehensive, statewide homeland protection effort. However, there had never been a Cabinet-level entity dedicated to the overall planning, coordination and oversight of New Jersey's homeland security strategy until the creation of the Task Force. By establishing and helping to maintain a cooperative effort among government agencies at all levels — and by working closely with officials in private industry at the same time — the Task Force has fostered unity in coordinating New Jersey's homeland-security-related initiatives. The work of the Task Force is vital, because New Jersey is home to many major petrochemical, pharmaceutical, industrial and manufacturing facilities. The Port of New York/New Jersey is a hub of international commerce, and the Newark Liberty Airport is one of the East Coast's busiest. New Jersey also provides strategic links to New York and Philadelphia via bridges and tunnels. In short, New Jersey remains an attractive target for potential terrorist activity.

## Threat Level Orange Periods

Consistent with its mission, the Task Force is responsible for developing response plans for various homeland security alert levels. In 2003, there were four Threat Level Orange periods in which the Task Force — working with agencies at all levels of government — put into action response plans to provide the state heightened protection. From August through November of 2004, finance centers in Newark and surrounding North Jersey counties were placed on Threat Level Orange alert after it was learned that al Qaeda operatives had been

conducting surveillance at Prudential in Newark. Threat Level Orange denotes a "high risk" of terrorist attack, as determined by the U.S. Department of Homeland Security. It requires that state and local government mobilize preparedness efforts that are both complex and labor-intensive — including activation of the State Police Emergency Operations Center, and assigning added security around critical facilities and infrastructure.

## Infrastructure Advisory Committee

Statewide, approximately 85 to 90 percent of the New Jersey's most critical infrastructure is owned by private industry.

Recognizing this reality, the Task Force established an Infrastructure Advisory Committee (IAC) made up of senior managers from 20 industrial sectors. These 20 industrial sectors contribute significantly to the strength of New Jersey's economy and its quality of life.

Each of the 20 sectors has formed an industry subcommittee to develop and implement "Best Practices" for security. Each of these sectors is also paired with one or more Task Force agencies that serve as the state's liaison to the industry. Best Practices cover such issues as target hardening and vulnerability/mitigation measures, crisis response, contingency and continuity planning, protocols for communications, background checks and adjustments to security measures as required by changing realities.

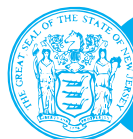
A second generation of Best Practices for industry was completed in April 2004, and the Task Force's departmental liaisons continue to monitor compliance with those recommended practices.

## Detect and Render Safe Task Force

New Jersey's Detect and Render Safe Task Force is a state, county and local collaboration. It involves the state's 10 bomb squads, as well as more than two-dozen newly purchased explosive-detecting dogs working together to detect and respond to potential bomb incidents. Supported by federal grant funds and coordinated by the State Police Bomb Squad, the Detect and Render Safe Task Force provides for a uniform and consistent response to the detection of explosives before they can be detonated, and for the rendering of those explosives harmless when they are found. The Detect and Render Safe Task Force has the ability to marshal all of the state's assets to one location, pursuant to a comprehensive Mutual Aid Agreement developed, negotiated and executed by the Domestic Security Preparedness Task Force.

## General Aviation Security Order

The Task Force issued an Order to approximately 450 general aviation facilities requiring that those facilities post signs regarding the reporting of suspicious activity, and that aircraft which remain at the facility for more than 24-hours be double-locked. This Order was subsequently incorporated into regulations adopted by the New Jersey Department of Transportation.



**ND DSPTF**

# Office of Counter-Terrorism

Established by Executive Order in 2002, the New Jersey Office of Counter-Terrorism (OCT) complements the Domestic Security Preparedness Task Force and provides the state with a centralized agency to administer and lead New Jersey's counter-terrorism efforts. The Executive Order defines the Office's mission as "identifying, detecting and deterring terrorist activity" by focusing on intelligence gathering and analysis, investigations, training and helping to protect critical infrastructure.

OCT is supervised by the Attorney General. Its staff is provided mainly by the Attorney General from the Division of State Police and the Division of Criminal Justice. These law enforcement powers derive from the fact that the OCT is within the Office of the Attorney General, the state's chief law enforcement officer. The Office of Counter-Terrorism's major accomplishments fall into four main categories: Information Sharing and Outreach; Training Initiatives; Investigative/Intelligence Operations; and Infrastructure Protection.

These accomplishments include:

## Information Sharing/Outreach

- ❖ **Activated an Office of Counter-Terrorism toll-free tip line, 1-866-4-SAFE-NJ** (1-866-472-3365) to encourage the public to report suspicious activity that may be terrorist-related. During various elevations of the Homeland Security Alert System to Threat Level Orange, the Tip Line number is prominently displayed on major highways and roadways throughout the state on the Department of Transportation's various message boards.
- ❖ **Created six secure Web sites through the New Jersey State portal** site to provide information to (1) law enforcement, (2) the private sector/ owners and operators of critical facilities, (3) mayors and government representatives, (4) educators, (5) fire and emergency services personnel and (6) all sectors on Best Practices for security.
- ❖ **Implemented a Statewide Information Management System (SIMS)** to facilitate the process for county and local police to report leads regarding potential terrorist activities. The reporting process allows for consistent tracking and documentation of leads, streamlines the reporting of leads to the Office Counter-Terrorism and the FBI's



From left to right; Edwin Moore, Assistant Director; Anita Bogdan, Assistant Director; Sidney Caspersen, Director; Angela LaBelle, Chief of Staff; Edward Curran, Deputy Director and Stephen Serrao, Assistant Director. Not pictured: Caroline Barnes, Assistant Director and Cherrie Black, Assistant Director.

Joint Terrorism Task Forces. SIMS also serves as a repository and analytical tool for intelligence data.

- ❖ **Implemented the Critical Asset Tracking System (CATS)** database, a centralized electronic repository that tracks, maintains, collects and analyzes data relevant to sites within the state that have been identified as critical or significant for homeland security.

## Training Initiatives

- ❖ **Designed and delivered Basic Counter-Terrorism Intelligence Awareness Training Courses for law enforcement personnel.** To date, a total of 1,658 law enforcement officers have been trained statewide. These courses meet the provisions of Attorney General Directive 2004-03 that requires all New Jersey police officers to be trained in counter-terrorism awareness and other related courses.
- ❖ **Designed and delivered seven Train-the-Trainer workshops for Law Enforcement Trainers** in which 222 instructors have been trained. In turn, 180 of these instructors had trained approximately 5,800 law enforcement personnel by the end of 2004.
- ❖ **Developed and presented two advanced one-day International Terrorism Symposiums**, each attended by more than 500 law enforcement and government officials.

## Investigative/Intelligence Operations

- ❖ **Coordinated investigative efforts among federal, state, county and municipal law enforcement agencies.**
- ❖ **Reviewed and processed more than 3,000 investigative leads into the SIMS intelligence system** that

were provided by federal, state, county and municipal agencies, as well as the general public through the toll-free counter-terrorism tip line (866-4-SAFE-NJ).

## Infrastructure Protection

- ❖ **Expanded and revised identification of critical infrastructure sites statewide**, using Department of Homeland Security guidelines, as well as information provided by municipal and county officials.
- ❖ **Completed Buffer Zone Protection Plans (BZPPs)**, in accordance with Homeland Security Presidential Directive-7 (Protection of Critical Infrastructure), for approximately 50 critical infrastructure sites, including chemical, petroleum, and water treatment facilities, commercial buildings and public gathering places.
- ❖ **Coordinated the development and drafting of Homeland Security Advisory System (HSAS) response measures** for all state departments and agencies. These measures indicate what steps and procedures each agency will take to correspond to changes in the HSAS threat matrix.
- ❖ **Prepared, coordinated and implemented procedures and equipment acquisition for county and municipal law enforcement** during the July/August 2004 Threat Level Orange alert indicated by the Department of Homeland Security for the Prudential Financial Center in Newark.



# Office of Government Integrity

The Office of Government Integrity was created by Attorney General's Administrative Executive Directive 2002-2. OGI includes the Professional Responsibility Unit and the Fiscal Integrity in School Construction Unit. The Professional Responsibility Unit monitors compliance by the Attorney General's Office, and County Prosecutors' Offices, with the Attorney General's Internal Affairs Policy & Procedures Manual. OGI is authorized to conduct operations audits of internal affairs units in order to identify systemic problems, and find ways to eliminate actual or apparent conflicts of interest, and to assure the integrity of internal affairs investigations. The Fiscal Integrity in School Construction Unit is charged with ensuring integrity in the financing and construction of school facilities, and the implementation of the State's Educational Facilities Construction and Financing Act (EFCFA). Enacted in July 2000, the EFCFA is the largest public works program in New Jersey history, authorizing the expenditure of up to \$8.6 billion to build and renovate schools in every public school district. For additional information about the OGI, visit its Web site [www.nj.gov/oaglogi](http://www.nj.gov/oaglogi).

## Highlights

❖ **State v. Advanced Building Supplies, Inc. and Edwin Janka —** Edwin Janka, president of Advanced Building Supplies, Inc., altered an expired Division of Property Management and Construction (DPMC) Notice of Classification, so that it appeared to be valid. His company submitted the altered credential with its bid for renovation work to the Howell Township Board of Education. The falsification was detected by DPMC, which referred the matter to OGI. In May 2003, the OGI obtained a three-count indictment against Advanced Building Supplies and Janka for forgery, falsification of records and false swearing. In September 2003, Janka was admitted to Pre-Trial Inter-

vention. The corporation was convicted of falsifying records, fined \$5,000, and placed on probation. Both were debarred from public works contracting for two years.

❖ **Thomas Construction Settlement —**

As a result of action by OGI, this construction firm was ultimately dissolved, and its vice-president agreed to not participate in public works projects for three years. OGI sought to revoke the firm's state-issued authorization to handle EFCFA school construction projects after it displayed serious, potentially life-threatening performance failures on a middle-school construction project in Warren County, and admitted falsifying certified invoices so as to improve the company's cash flow.

❖ **Best Roofing —**

This New Jersey roofing firm was denied pre-qualification to do school construction project work after OGI determined that Roger Martin, a key employee of the company, had been convicted of conspiracy to bribe public officials and labor leaders in order to obtain public contracts while he was CEO of another roofing firm. William Scrivens, the Chief Executive Officer of Best Roofing, testified in a public corruption trial that he participated in Martin's criminal acts. Scrivens also admitted, in unrelated sworn testimony, that he sought to defraud the Ridgewood school district by substituting inferior roofing materials for those called for by the contractor.



*From left to right: John Kennedy, Director; Tracy M. Thompson, Deputy Director; William Newsome, Chief Investigator.*

❖ **State v. Maureen A. Milan —**

Maureen A. Milan, former Vice-President and General Manager of New Jersey Transit (NJT), was sentenced to three years in State Prison for soliciting and receiving benefits from a vendor which had a contract with NJT. The case was prosecuted by OGI, which ultimately obtained an indictment charging Milan with official misconduct and 13 other crimes. Specifically, Milan was charged with having accepted numerous and expensive benefits from NJT vendors over a course of several years including \$17,000 in free hotel charges, meals at top restaurants, spa visits, World Series box seats, concerts and shows. Milan ultimately pleaded guilty to one count of second-degree Unlawful Benefits for Official Behavior. Milan and two other employees were fired. Twenty-four employees received discipline ranging from a verbal reprimand to loss of pay and suspension.





# Division of State Police

The Division conducts criminal investigations, enforces traffic laws on New Jersey toll roads and interstate highways, provides forensic science laboratory services to local law enforcement agencies, maintains criminal records and identification systems, and protects life and property on coastal and inland waterways. The State Police also provides protection and comprehensive police services in municipalities throughout the State where there is no local police department. The Division also coordinates emergency response services, including statewide response to natural disasters and terrorist incidents. For additional information, visit the State Police Web site [www.njsp.org](http://www.njsp.org).

## Highlights

### ❖ **New Homeland Security Branch —**

Created in February 2004, this reorganization is the largest for the State Police in years. This new unit brought both the Emergency Management Section and the newly established Special Operations Section under one command. The move enhanced New Jersey's ability to respond to an elevated threat level, or any event requiring the concerted efforts of law enforcement, intelligence and emergency response workers. The Homeland Security Branch is comprised of nine bureaus incorporating the most highly-trained and specialized units. There are approximately 1,100 personnel, including 550 State Troopers, assigned to the branch.

### ❖ **New Motorcycle Patrol Unit —**

In March 2004, the State Police launched a new motorcycle patrol unit for duty along the Garden State Parkway. The unit has four troopers assigned out of the Holmdel State Police Station. Holmdel Station patrols 42 miles of the Garden State Parkway from Woodbridge, Middlesex County to Brick Township in Ocean County. The unit is equipped with four Harley Davidson Electra Glide motorcycles.

### ❖ **Camden County Anti-Crime Partnership —**

The anti-crime partnership is a collaborative effort focused principally on improving the quality of life for law-abiding residents of Camden and the surrounding area by cracking down on drug traffic, gang activity



**Col. Joseph R. Fuentes,**  
**Superintendent**

and violent crime, while addressing such related public safety issues as abandoned vehicles. Led by the State Police — approximately 80 percent of the personnel assigned to the effort are State Police members — the partnership also involves resources from the Camden County Prosecutor's Office, Camden County Sheriff's Department, Camden Police and the Delaware River Port Authority (DRPA) Police. In 2004 alone, the anti-crime partnership resulted in more than 2,000 total arrests, more than 600 vehicles towed, 43 firearms recovered, more than \$250,000 worth of illegal narcotics confiscated, and more than \$154,000 in currency seized. As of 2004, the partnership had resulted in the removal of more than 2,000 vehicles in two years, the recovery of more than 100 firearms, and the seizure of at least \$1.5 million worth of illegal drugs.

### ❖ **Anti-Crime Partnership Success in Irvington —**

In May 2004, Attorney General Harvey and members of the Essex County Anti-Crime Partnership, which includes the State Police, painted over gang graffiti on the corner of Springfield Avenue and 21st Street in Irvington, one of the city's most notorious locations for drug and gang activity. The May 2004 graffiti paint-over followed several police raids in the area, signaling the end of gang rule. Through arrests, the issuing of summonses, and the seizure of guns, drugs and vehicles, the Essex Anti-Crime Partnership has made a tremendous impact on crime and the quality of life in Irvington. The Partnership consists of the State Police, the Irvington Police Department, Essex County Sheriff's

Department, Essex County Prosecutor's Office, New Jersey Department of Corrections, Juvenile Justice Commission, Air National Guard, Division of Criminal Justice, U.S. Drug Enforcement Agency and Rutgers University Institute for Police Studies.

### ❖ **Aggressive/Impaired Driver Crackdown —**

Through a \$2.4 million dollar Department of Transportation grant, the State Police strengthened its "aggressive driver" enforcement program in 2004. Fourteen existing State Police vehicles were retrofitted with upgraded emergency lighting for use as unmarked troop cars to assist with enforcement efforts. As part of the effort, State Troopers targeted critical areas on heavily-traveled state roads including Rt. 78, Rt. 287, Rt. 80, Rt. 195, Rt. 295, and Rt. 55.

### ❖ **Trooper Graduations —**

Four new State Police classes graduated in 2003-2004, bringing a total of 195 new Troopers into the ranks of the State Police.

### ❖ **New Crisis Management Software —**

State Police have begun utilizing a new, state-of-the-art crisis management software system that expands emergency preparedness and response capabilities. The new software enables agencies to share on-line information instantaneously, and is therefore conducive to a more effective response, particularly when multiple agencies are involved. Initially deployed in the State's Emergency Operations Center, the system was activated during the Republican National Convention in New York in 2004, and during the flooding that ravaged parts of Warren, Sussex, Hunterdon, and Mercer counties.



Honor  
Duty  
Fidelity



Honor  
Duty  
Fidelity



# Office of State Police Affairs

Located within the Attorney General's Office, the Office of State Police Affairs (OSPA) was created to ensure implementation of reform recommendations made by a specially-appointed State Police Review Team, and to ensure full compliance with the terms of a federal Consent Decree pertaining to the prevention of racial profiling. The essential mission of the Office of State Police Affairs is to ensure that the New Jersey State Police is, and remains, a premier law enforcement agency committed to the most effective and constitutionally sound police practices.

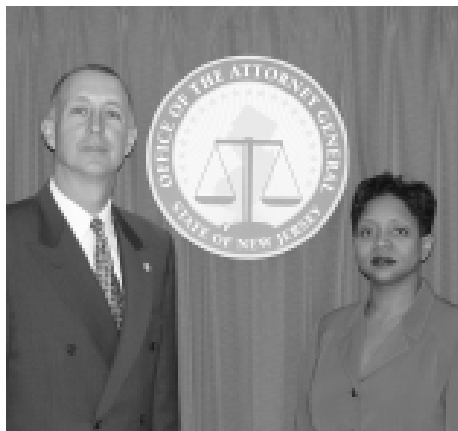
On a regular basis, the OSPA oversees the training of troopers and trooper candidates on cultural awareness, law enforcement ethics and leadership, constitutional law pertaining to search and seizure and equal protection, and other key issues.

The Office also provides Consent-Decree-related technical assistance to State Police decision makers, and monitors and reviews State Police internal investigative processes to ensure they are being carried out both properly and effectively.

The OSPA also prosecutes non-criminal discipline cases brought against Troopers accused of misconduct and — when a potential conflict-of-interest or other special circumstance requires it — conducts internal affairs investigations in place of the State Police's own internal affairs unit, the Office of Professional Standards.

The OSPA is directed by an experienced prosecutor, and staffed by a deputy director, four deputy attorneys general, and six full-time investigators, including a chief investigator and deputy chief investigator, as well as a contingent of State Police personnel commanded by a captain. The office is also staffed by a social scientist/statistical analyst, and various clerical and support personnel.

Through collaborative effort involving the Attorney General, State Police leadership and enlisted members, the State Police Academy, the court-appointed Independent Monitoring Team, and the U.S. Department of Justice, the OSPA has moved the New Jersey State Police into full compliance with requirements of the federal Consent Decree of 1999.



*From left to right: Daniel G. Giaquinto, Director/State Police Affairs, AAG  
Desha Jackson, Deputy Director/State Police Affairs, DAG*

In December 2004, the Attorney General and the OSPA issued the 11<sup>th</sup> Independent Monitors' Report, which found that no evidence of racial profiling by State Police had been identified by the monitoring team during the prior six-month review period. That same report also lauded State Police for "remarkable" gains made in such areas as Trooper training, field operations and personnel supervision.

Significantly, the 11<sup>th</sup> Monitors' Report found that State Police had, for the first time since monitoring began, accomplished all field-operations-related tasks required by the Consent Decree. Previously, the 10<sup>th</sup> Independent Monitors' Report had been nearly as glowing, with the monitors praising evidence of "substantial compliance" in virtually every area.

The high marks from the Independent Monitoring Team are no accident.

On a regular basis, the OSPA has been working on many fronts to help make the New Jersey State Police become the strongest and most diverse statewide law enforcement agency in the nation.

OSPA personnel audit tapes of calls placed to the State Police citizen "hotline" to ensure that information — particularly specific caller complaints — is properly reported and handled.

OSPA also reviews 100 percent of State Police internal affairs investigations into "critical incidents" — those that involve allegations of racial profiling, excessive use of force, violation of constitutional rights, discriminatory treatment, and domestic violence allegedly perpetrated by troopers.

In reviewing these cases, OSPA staffers are principally concerned with ensuring that the Office of Professional Standards has conducted its investigations thoroughly and in ac-

cordance with its own Standard Operating Procedures, and that the outcomes — favorable or unfavorable — are supported by the evidence.

The OSPA is now the only entity that monitors investigations conducted by the State Police Office of Professional Standards. In April 2004, the court terminated oversight of that unit by federal monitors, which had been ordered under the Consent Decree, in response to a joint motion by the State and the Department of Justice. The Office of Professional Standards was lauded by the Independent Monitoring Team as a "shining star" for its work in conducting internal affairs probes.

In addition to its direct monitoring work, the OSPA also functions as an important liaison between the State Police, the Independent Monitoring Team and the Department of Justice's Civil Rights Division.

It was OSPA personnel who partnered with State Police supervisors more than a year ago to ensure supervisory review of all videotapes of reportable car stops conducted by road Troopers, as opposed to review of only the "paper" reports filed by troopers regarding those car stops. (A trooper is required to file a stop report on any car stop in which he or she takes action requiring a driver and/or occupant to get out of the vehicle — including arrest, frisk, car search, deployment of a drug-sniffing dog, etc.)

Today, members of the OSPA describe those regular videotape reviews by supervisors as vital, because they enable supervisors to identify and correct — via follow-up discussion, training, and/or other interventions — errors by road troopers.



## Division of Consumer Affairs

*From left to right: Burt Liebman, Director/Legislative & Regulatory Affairs; Anthony Miragliotta, Deputy Director; Louis Greenleaf, Superintendent/Office of Weights & Measures; June Levy, Assistant Director; Jeffrey Burstein, Acting Director; Margaret Anastos, Chief of Staff/EEO; Robert Campanelli, Director/Consumer Services; James Carter, Assistant Director/Investigations; Edward Tumminello, Chief/Enforcement Bureau; Robert Russo, Director/Mediation & Adjudication; Stanley Fischer, Executive Director/Office of Consumer Protection.*

The Division of Consumer Affairs is responsible for administering and enforcing the laws intended to make New Jersey's commercial marketplace a fair and safe place to do business. Through the Division's investigative, prosecutorial and public awareness efforts, as well as through the work of its professional and occupational review boards, the Division carries out its mission of protecting consumers against illegal and/or unscrupulous business practices, prosecuting those who commit fraud, and keeping the public aware with regard to fraud prevention and other significant consumer issues. The Office of Consumer Protection, the Enforcement Bureau, the Bureau of Securities, the Office of Weights and Measures, the Charitable Registration Unit and the Legalized Games of Chance Control Commission all fall under the purview of the Division of Consumer Affairs. For further information on the Division, its mission, its accomplishments and initiatives, visit the Consumer Affairs Web site [www.NJConsumerAffairs.gov](http://www.NJConsumerAffairs.gov).

### Highlights:

- ❖ **The Division took a leadership role, through its Bureau of Securities, in a landmark, multi-state investigation of Wall Street investment firms**, resulting in payments of more than \$400 million in civil penalties to the states involved in the investigation.
- ❖ **A lawsuit filed against Nissan North America, Inc.**, alleged that the automobile manufacturer knew headlights on 2002 and 2003 Nissan Maxima models were being targeted by thieves, but failed to promptly warn consumers about the problem or notify owners and lessees about the availability of devices to prevent the thefts.
- ❖ **The Division filed suit against the manufacturers of ephedra-based supplements** for allegedly making false claims regarding the efficacy of the supplements, while also failing to warn consumers about potential dangers associated with the products.
- ❖ **A settlement agreement negotiated by the Division with Sears Roebuck and Co.** required that Sears pay more than \$625,000 — including approximately \$125,000 in restitution to thousands of New Jersey consumers — to settle allegations by the State that Sears auto centers defrauded customers by charging for four-wheel alignment services on vehicles not equipped to even receive such services.
- ❖ **The Division helped negotiate a monumental, multi-state, multi-million-dollar agreement with Household International**, providing for more than \$17 million in restitution for allegedly misleading consumers concerning household loans.
- ❖ **The Division filed suit against EON Institute, Neighborhood Properties Group, LLC and Barry C. Fauntleroy**, among others, alleging that they carried out a massive predatory lending scheme that defrauded low-income, minority consumers and left them with broken promises and overwhelming debt.
- ❖ **Regulations were adopted implementing New Jersey's Do Not Call law**, which imposes tough restrictions on telemarketers and provides State residents with a strong level of protection from unsolicited telemarketing calls.
- ❖ **The Division developed a "Physician Profile" Web site** where consumers can access, from one central location, important background information about physicians and podiatrists who hold active licenses in New Jersey. The information includes how long a physician or podiatrist has been practicing, where he or she attended medical school, and whether the physician or podiatrist has ever been the subject of disciplinary action or has made payments stemming from a medical malpractice case.
- ❖ **As part of the Contractors' Registration Act, the Division developed a registration scheme for home improvement contractors.** To date, the Division has received more than 13,500 applications from contractors seeking to become registered. The Act will go into effect December 31, 2005.





# Division of Criminal Justice

Staffed by more than 150 attorneys and more than 350 investigators, the Division of Criminal Justice works to protect the rights and safety of the public. The Division accomplishes its core mission in a variety of ways including the development of standards for the enforcement and prosecution of criminal laws, and the investigation and prosecution of unlawful activity including, but not limited to, public corruption, drug and weapons trafficking, street gang activity, bias crime, insurance fraud and environmental crime. Forty-one attorneys and 81 criminal investigators are assigned to combating insurance fraud, seven attorneys and 29 criminal investigators are dedicated to the Narcotics Bureau, 10 attorneys and 32 criminal investigators are assigned to the Organized Crime Bureau, and seven attorneys and five criminal investigators are assigned to the Casino Prosecutions Bureau.

Other sections to which attorneys and investigators are assigned include computer crime, special prosecutions, major financial crime, environmental crime, bias crime, labor prosecutions, law enforcement services, grand jury review, victim/witness coordination and prosecutor supervision and coordination.

The Division takes a lead role in promul-

gating policies related to all aspects of law enforcement. The Division also provides leadership to the 21 county prosecutors and other law enforcement agencies to ensure uniformity. For more information about the Division, visit its Web site [www.njdcj.org](http://www.njdcj.org).

## Highlights

### ❖ Prosecution of Serial Killer Cullen —

The Division of Criminal Justice took a lead role in the multi-state investigation and plea negotiations that resulted in a global plea agreement with accused mass murderer Charles Cullen. A male nurse, Cullen has confessed to murdering 16 hospital patients in New Jersey — 13 in Somerset county and three in Warren county. At the time his plea deal was struck in 2004, Cullen had also admitted to killing a patient at a hospital in Northampton County, Pa. By virtue of the plea agreement, Cullen avoided the death penalty, but will spend the rest of his life in prison. He also agreed to provide full disclosure regarding murders and attempted murders he may have committed while employed as a student nurse or licensed nurse at 10 medical facilities located in five northern New Jersey counties and two eastern Pennsylvania counties between 1984 and 2003. The plea agreement also calls for Cullen to provide information that will assist health care facilities in improving security

and operating procedures — particularly involving patient access and medications.

### ❖ Public Corruption Cases —

The Division of Criminal Justice charged or convicted a total of 90 defendants for public-corruption-related offenses during the past three years, a milestone achievement. This significant number of cases does not include 23 Motor Vehicle Commission employees prosecuted for selling driving credentials and other document fraud. The prosecutions included:

#### ❖ Assemblyman Pleads Guilty —

A 17-year veteran of the Legislature, Assemblyman Anthony Improveduto pleaded guilty in late 2004 to misappropriating campaign funds for personal use. As part of a plea agreement, Improveduto resigned his Assembly seat, was sentenced to five years probation, and was ordered to repay \$50,000 in illegally spent campaign funds.

#### ❖ Law Enforcement Corruption —

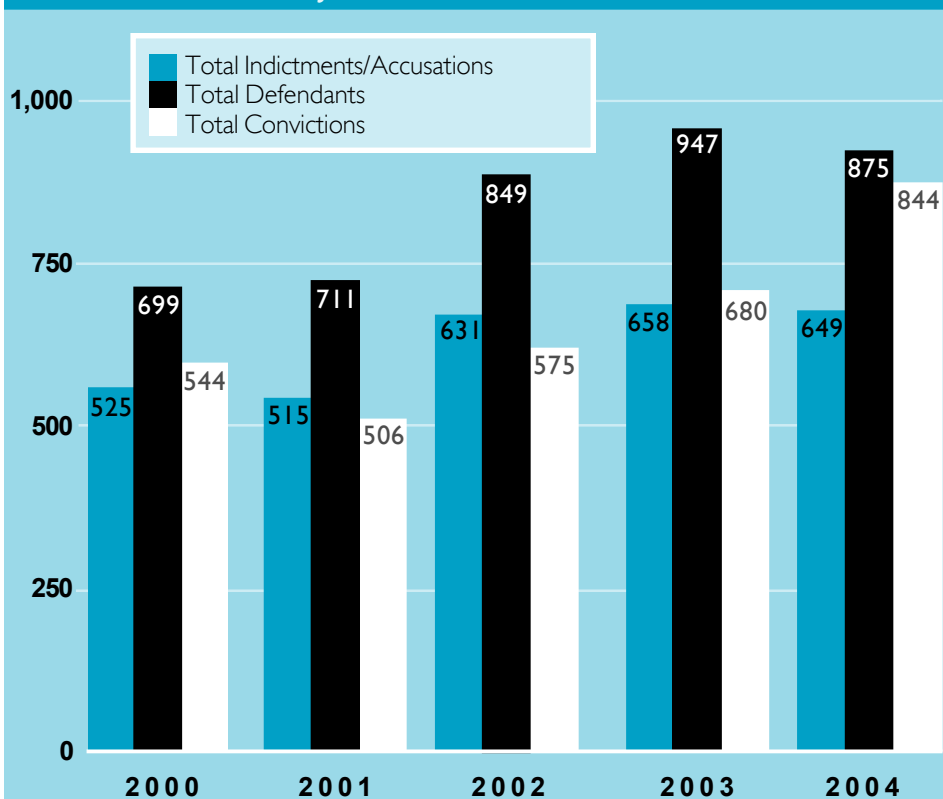
In Fall 2004, the Division obtained an indictment charging two Newark police officers with stealing cash and other items from purported drug dealers, and with “planting” drugs on individuals to cover their alleged actions. Also in 2004, the Division obtained an indictment charging a female Newark police officer with trafficking in illegal drugs, and a guilty plea from another Newark police officer to charges of “shaking down” alleged drug dealers by stealing their cash. In 2003, the Division obtained an indictment against a former Jersey City police officer for trying to use stolen credit cards to obtain merchandise.

#### ❖ State v.

##### Daniel Wilson —

Former treasurer of the West Deptford Democratic Campaign Committee and former Director of the Department of Public Works in West Deptford, Wilson was sentenced to four years probation, barred from all future government employment, and ordered to pay a \$2,500 fine and court costs. Wilson was convicted, in a non-jury trial, of 11 counts of criminal activity related to an investigation focused on illegal campaign contributions by JCA Associates, a politically-active South Jersey engineering consulting firm.

## Division of Criminal Justice Statistics





From left to right: John R. Hagerty, Director of Communications; Anne Kriegner, Chief; Keith Poujol, Chief Administrative Officer; Vaughn L. McKoy, Director; Greta Gooden Brown, Insurance Fraud Prosecutor; Ron Susswein, Deputy Director; Patricia Prezioso, AAG, Chief of Law Enforcement Services; E. Robbie Miller, DAG, Chief of Policy and Legislation.

### ❖ Combating Drug Gang Activity —

#### ● Operation Golden Triangle —

Operation Golden Triangle led to the arrest of 17 people involved with the alleged sale of heroin and other narcotics. A collaborative effort of the Division, Trenton Police and the Mercer County Prosecutors Office, the operation focused on drug dealing in the City of Trenton, the surrounding Mercer county area and throughout Essex County. In addition to the 17 arrests, the operation resulted in seizure of several illegal weapons and 300 bricks of heroin.

#### ● Operation Lord Stanley —

Ten suspected members of a “crack” cocaine and marijuana dealing network were arrested as a result of Operation Lord Stanley. As a result of cooperative effort by State, local and county law enforcement, authorities seized more than two pounds of marijuana, approximately \$200,000 cash and a variety of firearms and automobiles. The investigation targeted a narcotics trafficking network based at a public housing complex in Atlantic City.

#### ● Champagne Posse/

#### Irvington Initiative —

Sixty-five alleged members of the so-called “Champagne Posse” were indicted on charges of selling marijuana, illegal weapons possession and other unlawful activities in and around Irvington. In addition, as part of the ongoing Irvington Initiative, members of the Essex County Anti-Crime Partnership kept the pressure on illegal gang activity by conducting sweeps in the

spring and fall of 2004 in which they painted over gang graffiti and arrested a number of alleged gang members and associates.

### ❖ Sexual Predator Sentenced —

A Burlington County man was sentenced to seven years incarceration after he pleaded guilty to trying to arrange a sexual encounter involving a 14-year-old via the Internet. Wayne Kell, 48, of Mount Holly, was sentenced to the New Jersey Adult Diagnostic and Treatment Center at Avenel. He was arrested in August 2003 after arriving for a meeting in Mercer County with whom he believed would be two willing sexual partners – a woman and her 14-year-old daughter. In fact, Kell had requested the illegal sexual encounter through repeated on-line dealings with an undercover investigator for the Division’s Computer Analysis and Technology Unit. While using the Internet, Kell blatantly solicited an adult woman who would have sex with him and also allow him to have sex with her juvenile daughter.

### ❖ Insurance Fraud —

In 2004, the Division’s Office of the Insurance Fraud Prosecutor obtained 177 insurance fraud convictions, obtained sentences of jail or state prison for fraud defendants totaling 206 years, and obtained court orders for more than \$16 million in defendant restitution payments. For additional details see page 16.

### ❖ Casino Prosecutions —

#### ❖ Money Laundering Conspiracy —

On November 9, 2003, defendant Anastasios Samaras was indicted on money laundering and theft charges fol-

lowing an investigation involving the Division of Gaming Enforcement and the Casino Prosecutions Bureau within the Division of Criminal Justice. Samaras was charged with repeatedly passing fraudulent \$1 million Interbank of New York “official checks” at the Hilton Casino in Atlantic City over a five-month period, and utilizing the funds for gambling purposes. The scheme went undetected for several months because two Interbank employees allegedly verified the checks as valid despite knowing they were fraudulent. The two employees subsequently pleaded guilty to conspiracy charges and agreed to cooperate in the State’s investigation of Samaras. On the eve of his trial in June 2004, Samaras entered a guilty plea to a charge of theft by deception. He was sentenced to six years in State Prison.

### ❖ Environmental Crime —

In 2003-2004, the Division’s Environmental Crimes Bureau charged more than 50 individuals and corporations with criminal offenses related to illegal dumping, water pollution, etc. For more details see page 32.



# Division on Civil Rights

The Division on Civil Rights is responsible for enforcing the New Jersey Law Against Discrimination (LAD) and the Family Leave Act (FLA). The two laws were enacted to discourage discrimination in the workplace, in housing, and in public accommodations. The Division investigates allegations of discrimination, and serves as a fair and impartial forum for the airing of formal complaints. In a broader sense, the Division's mission is to foster sensitivity, acceptance and respect among all individuals. For additional information visit the Division Web site [www.NJCivilRights.org](http://www.NJCivilRights.org).

## Highlights

### ❖ **New Disability/Public Accommodations Unit —**

In September 2003, the Division on Civil Rights created a new Disabilities/Public Accommodations Special Investigations Unit. More than 1.3 million people with disabilities reside in New Jersey. Ensuring that they have unfettered access to public accommodations is the chief focus of the new unit.

### ❖ **Expanded Housing Initiatives —**

In an effort to more effectively identify and prosecute patterns and practices of housing discrimination, the Division established its Housing/Multiple Dwelling Reporting Rule (MDRR) Special Investigations Unit. The unit is staffed by specially trained housing investigators and attorneys, and conducts large-scale, aggressive initiatives involving the use of housing testers.

### ❖ **Movie Theater Initiative —**

In September 2004, the Division on Civil Rights joined with Attorney General Harvey in suing Tennessee-based Regal Cinemas for failing to reasonably accommodate the deaf and hard of hearing by installing new "closed" captioning equipment at its multiplex theaters in New Jersey. The Division reached settlement with four other theater chains in New Jersey — American Multi-Cinema, Loew's Cineplex Theaters, Clearview Cinemas and National Amusements — whereby each agreed to install new Rear Window® Captioning technology to enhance the movie-watching experience for those with hearing loss. AMC, Clearview and National Amusement also committed to installing new technology to better accommodate movie-goers who are blind or experience some degree of vision loss.



### ❖ **Outreach to Minorities, the Disabled —**

In October 2003, the Division and the Somerset County Cultural Diversity Coalition hosted a workshop attended by more than 45 leaders representing Sikhs, Hindus, Arabs, Chinese, Filipinos, Koreans and other Asian and Pacific-American groups. As a result, the Division has been working more closely with the Asian-American community to publicize civil rights cases involving Asians, and produce informational materials explaining laws against discrimination available in various languages.

In March 2004, the Division co-sponsored two public disability law forums — one in Camden County, one in Essex County — focused on the rights and concerns of those with hearing loss. The forums led directly to the deaf captioning Movie Theater Initiative.

In June 2004, the Division brought together attorneys, union representatives, civil rights advocates and local community leaders for a Hispanic Civil Rights Summit. The forum highlighted ways of raising awareness among the State's 1.1 million Hispanic residents.



*From left to right: Phillip E. Freeman, Assistant Director; Aney K. Chandy, AAG, Division of Law; J. Frank Vespa-Papaleo, Director; Bear Atwood, Special Assistant to the Director; Gary LoCassio, Deputy Director.*

## Significant Cases

### ❖ **Section 8 Housing Discrimination** —

In 2004, the DCR settled “Section 8” housing discrimination cases filed against four New Jersey apartment owners and real estate agencies including: Atlantic Coast Realty, Garden State Realty, 599 Broadway Management and Clinton Manor Associates. The complaints were the first filed under a new State law that prohibits housing discrimination by landlords on the basis of a tenant’s source of lawful income, or rental subsidy. The first case to settle involved Atlantic Coast Realty, of Brigantine. The settlement called for Atlantic to fund a DCR-led training session on the LAD for approximately 1,000 realtors from three South Jersey counties, monitoring of Atlantic’s rental practices, and the prominent display of information on the use of federal Section 8 rental vouchers. The DCR subsequently announced settlements in the remaining three cases. Each settlement included an agreement by the Respondent to increase training and awareness. As a result of the four settlements, the Division was paid a total of \$80,000 in compensatory damages.

### ❖ **Caesars Atlantic City** —

The Division reached settlement in 2004 with Caesars regarding a Director’s complaint alleging that a hostile work environment existed at the casino-hotel. At issue were allegations that security personnel had, among other things, misused casino surveillance equipment to examine the anatomy of female patrons and casino workers. As part of the settlement, Caesars agreed to enhance its discrimination-related awareness and training efforts, implement a process to audit videotaping by surveillance personnel, and pay the Division \$95,000 in administrative costs.

### ❖ **Bias-Based Student Harassment** —

The Division’s Director found the Toms River school district liable in 2004 for the consistent bias-based harassment — and occasional physical assault — of a Toms River high school student by fellow students who perceived him to be homosexual.



# Division of Law

Staffed by approximately 600 Deputy Attorneys General and 18 State Investigators, the Division of Law has broad civil powers and a broad-based mission. Through the Division, the Attorney General performs the majority of the duties relating to his statutory role as chief legal counsel for the State. The Division is charged with protecting the public interest by acting as sole legal counsel to State agencies, and by conducting all civil legal matters to which the State is party. The Division's workload is driven by its role as provider of legal counsel to client agencies on an as-needed basis, by the amount and nature of litigation brought against the State, and by the amount and nature of litigation pursued by various departments of State government. At any given time, the Division's caseload stands at approximately 36,000 pending legal matters. For more information visit the Division Web site [www.nj.gov/oag/law](http://www.nj.gov/oag/law).

## Highlights

### ❖ **Household Finance Settlement —**

The Division of Law, working with the Division of Consumer Affairs, negotiated a settlement in a landmark, multi-state action against Household International related to the alleged misleading of borrowers. As a result, checks totaling nearly \$17.9 million were mailed out in late 2003 to thousands of New Jerseyans who had obtained loans from Household between January 1999 and September 2002. The average amount of an individual borrower's settlement check in New Jersey was \$1,123. In addition to compensating borrowers, Household agreed to improve its disclosure practices regarding loan terms and eliminate so-called "piggy back" second mortgages.

### ❖ **Court Victory Staying New EPA Regs —**

The Division won a major victory on behalf of all New Jerseyans — and the environment — in late 2003 when a federal appeals court granted the State's request to stay implementation of new Environmental Protection Agency regulations that would significantly weaken federal pollution control requirements. The regulations at issue would dilute the federal New

Source Review (NSR) program by allowing most major sources of pollution — including power plants, utilities and refineries — to avoid long-standing NSR requirements to install new pollution controls when making any physical or operational changes that result in a significant increase in emissions. As of this writing, the stay imposed by the U.S. Court of Appeals for the District of Columbia Circuit remains in effect.

### ❖ **Protection of Children —**

The Division of Law greatly expanded its operations in 2003-2004 pertaining to legal representation for the Division of Youth and Family Services. Because of new initiatives such as the New Beginnings Program, additional attorneys have been hired in order to handle increased caseloads. In 2004, 1,147 children under state supervision became eligible for adoption through the efforts of the Division and DYFS. Also, 1,383 adoptions were finalized — a 36 percent increase over 2003.

### ❖ **U.S. Sportsmen's Alliance —**

The Sportsmen's Alliance challenged the Department of Environmental Protection Commissioner's decision to withhold black bear hunting permits. The Superior

Court Appellate Division heard this appeal on an emergent basis, and in a decision issued November 16, 2004, found that the Commissioner did not have the authority to withhold black bear hunting permits. On behalf of the DEP, the Division petitioned the New Jersey Supreme Court for certification on an emergent basis. The Supreme Court granted the petition, heard oral argument on November 29, 2004, and issued an order on December 2, 2004, reversing the Appellate Division and canceling the 2004 black bear hunt. The Court issued its formal opinion on February 28, 2005, holding that the State Fish and Game Council must develop a comprehensive policy regarding the management of the bear population, subject to the approval of the DEP Commissioner.

### ❖ **NUI Corp./Elizabethtown Gas Company —**

The Division worked closely with the Board of Public Utilities to address the significant financial difficulties of NUI Corporation, the parent of the corporation of which Elizabethtown Gas Company is a division. This work began with retention of





*From left to right, front row: Sharon Joyce, AAG; Aney K. Chandy, AAG; Andrea Silkowitz, AAG; Lewis Scheindlin, AAG; Nancy Kaplen, AAG & Acting Director; Susan Roop, AAG; Stefanie Brand, AAG; Patrick DeAlmeida, AAG; Joshua Lichtblau, AAG. In back row, left to right: Michael Shipp, AAG; Howard McCoach, AAG; John Bender, AAG; Robert Stoloff, AAG; Larry Stanley, AAG; Michael Haas, AAG; James H. Martin, AAG; Robert Romano, AAG; Gerard Burke, AAG; Peter Traum, Chief of Staff.*

a forensic auditing firm for a special audit when NUI stock fell below investment grade in 2003. As the audit revealed significant problems, the Division of Law worked with the BPU to implement safeguards so that service to Elizabethtown Gas ratepayers remained constant. The audit resulted in a settlement which required \$28 million in ratepayer refunds, payment of \$2 million in penalties, and implementation of financial safeguards.

#### ❖ **Same Sex Marriage Litigation —**

The Division of Law argued, and the Superior Court agreed, in November 2003 that New Jersey's existing marriage statutes do not provide for the legal marriage of same-sex couples. Seven same sex couples who had been denied marriage licenses challenged New Jersey law. In court the Division argued that the New Jersey Constitution does not guarantee same sex couples the right to marry and, as a result, the proper forum for addressing the same sex marriage issue was not a courtroom, but the New Jersey Legislature. The seven couples appealed the Superior Court's decision. The Superior Court's Appellate Division also adopted the argument advanced by the Division of Law in affirming the dismissal of the suit.

#### ❖ **Saving Millions through Effective Litigation —**

- ❖ As a result of the Division's aggressive litigation stance on behalf of the Department of Corrections, the DOC's total "pay-out" to settle civil lawsuits in 2004 was reduced by about \$1.4 million compared to the previous year.
- ❖ The Division worked during the past two years with the Department of Environmental Protection to secure more than \$29 million in Natural Resource Damage (NRD) compensation from polluters. That figure represents more than was obtained by the State during the entire previous decade.
- ❖ The Division continues to vigorously litigate lawsuits it has filed on behalf of the State to protect New Jersey's Pension Fund investments against alleged corporate misconduct. One corporate defendant, Gemstar-TV Guide International, Inc., has settled and paid the State \$5 million. Among the defendant corporations named in the 12 Pension Fund lawsuits still actively in litigation are Sears Roebuck, Motorola, Tyco and AOL Time Warner.

#### ❖ **Various Actions Targeting Securities Fraud —**

The Division of Law worked with the New Jersey Bureau of Securities in 2003-2004 to negotiate settlements that resolved State allegations of investment-related fraud against major companies. Allianz Dresdner Asset Management and two affiliated companies agreed to pay the State \$18 million — the largest civil recovery ever paid to the State in a securities case. In addition, the Division filed eight other securities-fraud-related lawsuits involving more than \$160 million in investments. For additional details, see the section on Prosecuting Securities Fraud on page 14.

# Division of Elections

The Division of Elections is dedicated to ensuring the integrity of the electoral process in New Jersey, and to making certain that voter registration — as well as the actual voting process — is as accessible and inclusive as possible. Under the direct supervision of Attorney General Peter C. Harvey and Chief of Staff Markus Green, the Division assures compliance with the federal National Voter Registration Act (NVRA), and the Help America Vote Act (HAVA), which includes all reporting requirements to the Federal Election Commission and Election Assistance Commission. Additional responsibilities include certification of voting machines, serving as filing officer for all federal and state public elective offices, ensuring compliance with polling place accessibility for the elderly and disabled, regulatory authority for voter registration, political party declarations, absentee voting, election district requirements and polling place accessibility. The Attorney General is New Jersey's Chief Election Official, and serves as chairman of the Board of Canvassers. The Board of Canvassers certifies results for federal and state office elections and public questions. For more information, visit the Division Web site [www.njelections.org](http://www.njelections.org).

## Highlights

### ❖ **Chronological Elections Guide —**

The Division annually issues its New Jersey Chronological Elections Guide, a vital voter resource, and makes it available for download via the Division Web site. The Chronological Elections Guide sets forth important deadlines for major local, state and federal elections held in New Jersey each year. The guide also includes Congressional and Legislative district maps, a glossary of election terms, and other useful information. The Guide includes sections regarding the school board and non-partisan municipal elections, and an outline of the specific duties of New Jersey's various election officials.



*Left to right: SDAG Mamta Patel, Deputy Director; Donna Barber, Senior Management Assistant; Ramón de la Cruz Esq., Director; Gloria Jean Berry, Supervisor of Elections; Coreen Grooms, Administrative Assistant.*

### ❖ **Polling Place Accessibility Workshops/Resource Guide —**

Consistent with its goal of inclusiveness, the Division of Elections annually sponsors Polling Place Accessibility Workshops that bring together hundreds of election officials from every level of government, as well as advocates for the disabled and other interested parties. The sessions provide a forum for learning about, and discussing issues related to, voting access for the disabled. In conjunction with the workshops, the Division publishes a comprehensive Polling Place Accessibility Workshop Resource Guide, and makes it available online. The Division Web site also provides an on-line form that enables New Jerseyans to supply the State with information about problems concerning polling place accessibility. The form can be filled out on-line and submitted electronically.

### ❖ **Relocation to More Convenient Headquarters —**

To provide candidates and members of the public greater convenience, and to provide the Division with greater space in which to perform its work, the Division relocated in 2004 from its former headquarters at Hughes Justice Complex to new office facilities on South Clinton Avenue in downtown Trenton. The Division offices are now located at Station Plaza, 7<sup>th</sup> Floor, 44 South Clinton Avenue. The building is a half-block from the Trenton Train Station, a local landmark. It is easily reached via public transportation, and provides more available on-street parking.

### ❖ **Mock Election —**

On October 28, 2004, the Division of Elections served as host for National Student-Parent Mock Election Day, an international voter awareness event designed to spark heightened interest in the democratic process among students in grades Kindergarten through 12. The National Mock Election Day event is held throughout the United States once every two years. In 2002, New Jersey led the nation with more than 100,000 students casting ballots, a turnout that resulted in the State being cited by the National Association of State Boards of Education for "Outstanding Contribution to Voter Education." As host for Mock Election Day voting in 2004, the Division collected vote tallies from all 50 states, Washington, D.C. and participating American schools located around the world.





# HAVA Implementation Team

Staffed by attorneys and other professionals with expertise in election systems and procedures, the HAVA Implementation Team within the Attorney General's Office has primary responsibility for ensuring that New Jersey achieves — and maintains — full compliance with the mandates of the federal Help America Vote Act (HAVA).

In a broader sense, the HAVA Implementation Team's mission is to spread awareness about the importance of voting, to disseminate useful information to New Jerseyans concerning how and where to register to vote, and to ensure that the voting process in New Jersey is as inclusive and user-friendly as possible.

Largely through the efforts of the HAVA Implementation Team, New Jersey registered 463,000 new voters in time for the 2004 General Election, pushing the State's total number of registered voters beyond the 5 million mark.

Simultaneously, the Implementation Team worked throughout 2004 to put in place a Statewide Voter Registration System (SVRS) to help New Jersey's 21 counties meet the mandates set forth under HAVA.

Enacted in 2002, HAVA requires that all states implement by January 1, 2006 a centralized and interactive statewide voter registration list that will be defined, maintained and administered at the state level. After a formal procurement process, New Jersey awarded the contract for development of the statewide system to Covansys Corporation, a global consulting and technology services company.

As of this writing, voter registration information in New Jersey is maintained at the County level. The Attorney General's Office and Covansys are working with Superintendents of Elections, Boards of Elections, County Clerks, Municipal Clerks and other agencies that share data to complete implementation of the Statewide Voter Registration System by the end of 2005. The system is scheduled for implementation on a "pilot" basis in six counties in September 2005. The pilot counties will be monitored for a four-to-five-week period, and adjustments will be made as needed. The remaining 15 counties are expected to convert to the statewide system beginning in late November, with full implementation expected by mid-December 2005.

The HAVA Implementation Team also worked with several New Jersey counties



*Left to right, front row: George Nyktas, HAVA Project Manager; Tracy Munford, Director/Public Affairs & Community Outreach; Valerie Holman, Special Assistant to the Attorney General; Celeste Bainbridge, Paralegal; June Forrest, AAG; Mamta Patel, Deputy Director. In back row, left to right: William Cronin, Intern; Donna Kelly, AAG; Bryan Rusciano, HAVA Project Manager; Kathleen Brannigan, Special Assistant to the Attorney General; Markus Green, Chief of Staff. Not pictured: Mike Gallagher, HAVA Administrator; Carol Gaskill, HAVA Project Manager.*

throughout 2004 to ensure that their efforts to acquire new electronic voting machines to replace outdated mechanical voting machines — a HAVA requirement — were moving forward smoothly, and in a timely fashion.

Meanwhile, the Implementation Team continued throughout 2004 to conduct a variety of public service initiatives under the banner of the Attorney General's "Be Powerful, Be Heard" voter awareness and voter registration campaign.

Highlights included a kick-off event for the "Be Powerful, Be Heard" awareness campaign at the New Jersey Performing Arts Center in Newark, a series of compelling celebrity Public Service Announcements that aired on TV and radio, and an information-packed "Hip Hop Summit" event held at the War Memorial in Trenton that attracted major hip-hop recording artists for a panel discussion on democracy and voting. The Hip-Hop Summit was experienced live — and via streaming Internet video — by thousands of voting-eligible young people from throughout New Jersey, and resulted in an estimated 3,000 new voter registrations. Also held at the War Memorial in Trenton was a voting systems forum entitled "Beyond 2004: Exploring Voting Technologies." The event brought together a host of experts on voting systems from government and academia. The program was open to the public, and included a panel discussion focused on electronic voting systems, as well as the pros and cons of voting machines equipped with so-called "verifiable paper trail" or "black box" capability. Held in November 2004, the Voting Technologies Forum provided the public with an opportunity to witness a demonstration of an electronic

voting machine currently in use, and provided useful information on the capabilities of emerging voting system technologies.

Working in concert with Rutgers University and the New Jersey Association of Election Officials, the HAVA Implementation Team has also launched a first-ever training program for county election officials.

Paid for with HAVA grant funding and held at the Center for Government Services at Rutgers-Newark, the inaugural, four-day training session was entitled "Basic County Elections Administration." It focused on the responsibilities that confront every county during every election, including: voter registration, write-in candidates, legal notices, proper handling of absentee and paper ballots, polling places, polling place challengers, training of election board workers, Election Day procedures, ensuring electoral integrity, and the Open Public Records Act (OPRA).

The basic elections administration course, which was also offered on other dates in New Brunswick and Hammonton, was consistent with one of the primary objectives of HAVA — to maintain the integrity of the electoral process. Additional training sessions — including separate courses on Voting Devices and Advanced County Elections Administration, are slated for the fall of 2005.

*Register and Vote, New Jersey!*



**be  
powerful.  
be Heard.**



# Juvenile Justice Commission

The New Jersey Juvenile Justice Commission (JJC) is the state agency responsible for providing juvenile rehabilitation and parole services. Established in 1995, the JJC serves to coordinate services and policies affecting delinquent youth throughout the state. From prevention to parole, the JJC is a partner in the entire juvenile justice system. For more information, visit the JJC Web site [www.njjc.org](http://www.njjc.org).

## Highlights

### ❖ **Medical and Mental Health Reform** —

The Juvenile Justice Commission is now providing in-house medical care to approximately 650 youth in secure facilities. The JJC has also arranged, by contract, for the University of Medicine and Dentistry of New Jersey to provide youth in JJC custody with mental health services. The changes are part of an ongoing effort to streamline and enhance the delivery of health care and mental health services throughout the JJC system. Nearly 67 percent of juveniles committed to the JJC are diagnosed with at least one mental health problem including anxiety disorder, post traumatic stress syndrome, depression, and substance abuse.

### ❖ **The Serious and Violent Offenders Reentry Initiative** —

The JJC has been chosen to receive a "Going Home-The Serious and Violent Offenders Reentry Initiative" grant from the U.S. Department of Justice. The grant will enable the JJC to redesign the parole and transition process for juveniles who are serious and violent offenders. The grant also will allow JJC to give better care and closer attention to those at greatest risk of re-offending.

### ❖ **Uth Turn** —

Uth Turn provides educational services, vocational training and individual, family, and group counseling sessions. It also features workshops on anger management, social development, and career preparedness. Uth Turn is currently in place to assist young offenders housed at the JJC's Essex Residential Community Home. Uth Turn began in 1999. This is the first time the program has been offered in New Jersey. It was created as a program of the Fund for Community Leadership Development, based at New York Theological Seminary.

### ❖ **Hopeworks, Inc.** —

Hopeworks uses technology to reach at-risk juveniles or juveniles returning to the community from JJC programs. Through the program, youth learn sought-after career skills, including Web site design and Global Information System (GIS) mapping techniques. The participants receive state-of-the-art instruction, and at the same time develop improved self-respect, self-discipline and respect for others.

### ❖ **Respond Culinary Program** —

The first class of culinary students graduated in 2004 from Respond, a collaborative vocational program involving the JJC and Respond, Inc., as well as a restaurant trade union. The Respond Culinary Program is an innovative course that provides selected residents from two JJC residential community homes, both located in Camden County, with extensive culinary training. In addition to classroom and hands-on experience, the course includes field trips to major hotel kitchens, and the Sysco Food Show in Philadelphia.



### ❖ **Community Policing Partnerships** —

JJC's Juvenile Parole & Transitional Services has developed community-policing-related partnerships with six jurisdictions: Elizabeth, Asbury Park, Perth Amboy, New Brunswick, Plainfield, and the Middlesex County Prosecutor's Office. The improved communication allows local police to be aware of juveniles in their jurisdictions who are assigned to parole. In turn, police can advise parole officers of incidents or emerging trends that may involve a juvenile parolee, and which may require intervention.

### ❖ **Simulated College Environment** —

The JJC has formed educational partnerships with Burlington County College and Middlesex County College. The pilot program allows selected JJC youth to participate in a classroom environment much like that found on local county college campuses. The initiative prepares students for the rigors associated with pursuing an educational certification or degree beyond the high school level. Classes are held on-site at the JJC's Johnstone Campus, and at the New Jersey Training School.



*From left to right: Rosanne Fairbanks, Director of Administration; John Amberg, Director of Education; Wimson Crespo, Director of Investigations; Howard L. Beyer, Executive Director; Thomas Flanagan, Deputy Director; William Curry, Director/Juvenile Parole & Transitional Services; Brigitte Mitchell-Morton, Director/Secure Care; Lisa Macaluso, Director/Local Programs & Services.*

#### ❖ **Gang Awareness and Prevention** —

The JJC's Juvenile Gang Prevention and Intervention Project addresses street gang activity at all levels by treating gang involvement as an addiction. With funding from the state Department of Education, the JJC has developed a cutting-edge gang awareness curriculum — entitled Phoenix — that corresponds with New Jersey Core Curriculum Standards. The workbook-based lessons provide structure and support, and clearly demonstrate the progress of participants. Experienced JJC staff members also conduct gang awareness workshops. In 2004, the JJC's Gang Management unit trained approximately 7,000 law enforcement members, service providers, JJC staff, teachers, parents and juveniles.

#### ❖ **Mental Health Screenings** —

In 2004, the JJC continued phasing in the Massachusetts Youth Screening Instrument (MAYSI-2) at county detention centers statewide. Juveniles are screened for mental/emotional problems or distress within 72 hours of admission using the standardized MAYSI-2 screening tool. The MAYSI-2 has earned national and international recognition as an effective methodology, and is used in 32 states and seven countries. The use of MAYSI-2 is designed principally to ensure that detention center staff are made aware of, and can respond most effectively to, mental health issues that might impact on a youth in detention, or on those housed with him or her.

With support from the Governor's Juvenile Justice and Delinquency Prevention Committee, the JJC has implemented MAYSI-2 in seven counties, providing them with laptops, software, training, and technical assistance. By the end of 2005, MAYSI-2 will be in use in all 17 county detention centers.



# Division of Alcoholic Beverage Control

The Division of Alcoholic Beverage Control's (ABC) mission is to protect the public health, safety and welfare by regulating how alcoholic beverages are sold, and by encouraging moderation and responsibility in the consumption of alcohol. Comprised of the Office of the Counsel to the Director, the Enforcement Bureau, the Investigative Bureau and the Licensing Bureau, the Division fulfills its mission by regulating and licensing the manufacture, distribution, sale and transportation of all alcoholic beverages in New Jersey. If a licensee violates any law or regulation, the Director may suspend or revoke the license or impose a fine and/or any other appropriate condition. For more information on the Division, visit its Web site [www.nj.gov/oag/abc](http://www.nj.gov/oag/abc).

## Highlights

### ❖ **Cops in Shops** —

Undercover police officers and local retail outlets work in partnership to discourage the sale of alcohol to underage buyers, and to deter adults from buying alcohol for those under the legal age. Developed by the Century Council, a national nonprofit organization committed to fighting underage drinking, the program operates in selected towns, at cooperating liquor retail stores. To date, police in more than 200 towns have been trained to run Cops in Shops programs. During the Summer 2004 Cops in Shops effort, approximately 440 persons were arrested. Since the program's inception nine years ago, 4,450 individuals have been arrested.

### ❖ **Prosecutors' Initiative to Combat Underage Drinking** —

During the Summer of 2004, the ABC worked with local law enforcement officials and county prosecutors in Monmouth, Ocean and Cape May Counties to identify underage drinkers and those who served them in bars and restaurants. Funded by grants provided by the Division of Highway Traffic Safety, the undercover initiatives resulted in a total of 87 arrests.



*From left to right: David N. Bregenzer, Counsel to the Director; John Ernst, Deputy Director; Jerry Fischer, Director; Diane M. Weiss, Executive Assistant in Charge; John Wesley Geiselman, AAG.*

### ❖ **Policing College Towns, Ensuring Responsible Promotions** —

ABC investigators have begun an intensive undercover effort in bars, restaurants, and nightclubs located in or near college communities. The initiative began in Fall 2004 and, in the first six months, resulted in the "carding" for proof of age of 700 individuals, and the arrest of 90 persons for underage drinking. Additionally, in New Brunswick, Middlesex County, the Division continues to pilot the Alcoholic Beverage Promotions Program, which is designed to ensure that promotions at bars and restaurants do not target the underage population, and do not encourage excessive drinking.

### ❖ **Local Police/New Store Owner Training** —

More than 300 local police officers, representing more than 200 municipalities throughout the State, attended training programs held by the Division in Spring 2004. The programs focused on alcoholic beverage laws, investigations, and a variety of related enforcement issues. The agency also provides training to all new package store owners at least twice a year, where licensees learn about alcoholic beverage laws, and among other things, how to spot fraudulent IDs. The Division has also produced a 20-minute training video that provides critical information to licensees and their employees about the consequences of serving alcohol to underage individuals.

### ❖ **Student "Dangers of Alcohol" Art Competition** —

A cooperative effort between the Division of Alcoholic Beverage Control and the Partnership for a Drug-Free New Jersey, this initiative encouraged middle school students and their parents to work together to create billboard and calendar messages with the theme "Dangers of Alcohol." The 2003 program produced more than 450 entries, while the 2004 program generated more than 1,000 entries. Winning messages were chosen from the contest submissions in each year, and were featured on a calendar that was distributed to all middle schools. The grand prize winning message was also reproduced on highway billboards throughout the State. The Jersey Shore Public Relations and Advertising Association recognized the calendar design and message with a Silver Award of Excellence.

### ❖ **Licensing & Investigation** —

The Investigative Bureau conducted 1,255 investigations and forwarded a total of 851 cases involving 2,755 license violations to the ABC Enforcement Bureau for review in 2004. In one case, ABC investigators confiscated more than 20,300 cases of untaxed alcohol and cigarettes from a liquor warehouse in Camden County. Two individuals were charged with the unlawful sale and distribution of alcoholic beverages.

# Division of Highway Traffic Safety

The New Jersey Division of Highway Traffic Safety was established under the National Highway Safety Act of 1996. The Division's primary mission is to promote highway traffic safety through prevention, awareness and enforcement efforts. The Division procures and administers federal highway traffic safety grant funds, and coordinates the traffic-safety-related actions of State and local agencies. On an annual basis, the Division also develops a comprehensive, statewide highway traffic safety plan designed to protect motorists and pedestrians along the state's 33,000 miles of roads. For additional information on its mission, accomplishments and initiatives, visit the Division of Highway Traffic Safety Web site [www.NJSafeRoads.com](http://www.NJSafeRoads.com).

## Highlights

### ❖ Declining Road Fatalities —

For the second year in a row, New Jersey registered a decline in overall highway deaths in 2004 — from 733 fatalities in 2003 to 731. The number of alcohol-related fatalities also fell in 2004 — from 275 the prior year to 271. Pedestrian fatalities increased by 2.5 percent to 155, while motorcycle fatalities also climbed from 57 deaths in 2003 to 73 in 2004. Speeding-related fatalities showed a substantial decrease to 2004 with 64 speeding-related road deaths compared to 80 the previous year. The 2004 data continued a positive trend observed in 2003, when roadway deaths declined in several categories as well. The total number of motor vehicle fatalities in New Jersey in 2003 reflected a 5 percent drop from the prior year, while the number of pedestrian fatalities dropped by 22 percent. The number of alcohol-related fatalities also fell in 2003 — from 281 in 2002 to 275, — and motorcycle fatalities declined from 50 in 2002 to 34.

### ❖ Click It or Ticket —

Statewide, an unprecedented 381 police agencies took part in the Division of Highway Traffic Safety's May 2004 "Click It or Ticket" seat belt awareness and enforcement drive, conducting spot enforcement of the State's Primary Seat Belt Law. In all, police issued more than 69,000 seat belt summonses to motorists and passengers who were not buckled up during the two-

week enforcement campaign period. In addition to the enforcement component, New Jersey used approximately \$500,000 in federal funding to conduct a "Click It or Ticket" paid advertising campaign. During a two-week period, the Division aired more than 2,000 one-minute radio spots on 67 stations in New Jersey, New York City and Philadelphia. Results from a seat belt utilization survey conducted in the immediate aftermath of "Click It or Ticket" showed seat belt usage at 82 percent — an all-time high.

### ❖ Child Passenger Safety Partnership —

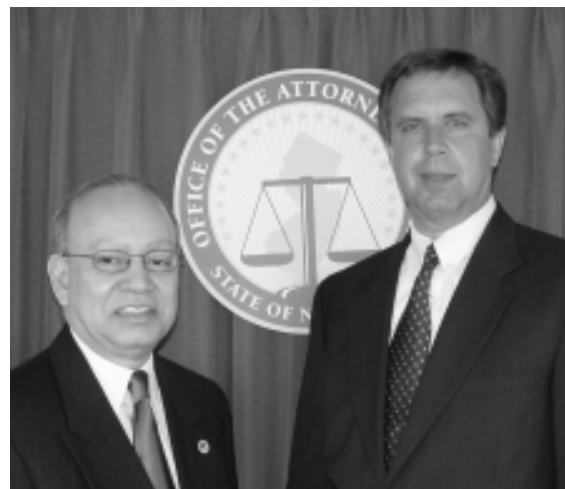
In 2004, the Division of Highway Traffic Safety worked with the New Jersey Department of Community Affairs' Center for Hispanic Policy, Research and Development on "Partnering for Traffic Safety" — a public awareness initiative aimed at increasing proper child safety seat usage within Hispanic communities. Through the program, the Center offered sub-grants to nine community-based organizations that serve Hispanic populations. Leaders from these community-based organizations were trained in child passenger safety, and in turn delivered information and materials to the populations with whom they work.

### ❖ Public Awareness Radio Campaign —

Throughout 2003-2004, the Division continued its successful campaign of public service radio announcements through partnership with the New Jersey Broadcasters Association. Through this effort, Division messages were heard on every radio station in New Jersey, as well as throughout the metropolitan New York City and Philadelphia markets. The Division used radio public service announcements to increase awareness of new initiatives related to driver distraction and aggressive driving, as well as to remind listeners about such perennial highway safety issues as drinking and driving, pedestrian safety and seat belt usage.

### ❖ Increased Funding Linked to .08 BAC —

Early in 2004, new legislation was signed into law lowering the legal threshold for being convicted of Driving Under the In-



From left to right: Roberto Rodriguez, Director, Gary Poedubicky, Deputy Director

fluence (DUI) from a Blood Alcohol Content of .10 to .08. Enactment of this legislation resulted in increased federal funding to the Division of Highway Traffic Safety for impaired driving enforcement programs, and for related education initiatives. With assistance from the additional funding, the Division undertook a statewide driving enforcement campaign during the summer of 2004 with the theme "You Drink and Drive ... You Lose."

### ❖ Child Passenger Safety Conference —

The Division demonstrated its continuing commitment to child passenger safety by hosting a Child Passenger Safety Technical Conference in September 2003. The event brought together more than 400 child passenger safety advocates from New Jersey, New York, Puerto Rico, Pennsylvania, Delaware and Connecticut. Conference highlights included workshops and expert speakers on such issues as transporting children with special needs, enhancing child passenger safety within inner-city populations, and hosting a successful child safety seat check event.





# Division of Gaming Enforcement

The Division of Gaming Enforcement was established in 1977 under the Casino Control Act to ensure the integrity of casino gaming in New Jersey. Its mission is to protect the public interest by maintaining a legitimate and viable industry, free from the influences of organized crime, and ensuring the honesty, good character and integrity of casino owners, operators, employees and vendors. The Division performs its mission through enforcement of the Casino Control Act and related regulations, which were designed to ensure a strictly regulated and economically sound casino gaming industry. Oversight by the Division includes investigations, inspection and audit, as well as criminal and regulatory prosecution. Criminal cases identified by the Division of Gaming Enforcement are prosecuted by the Division of Criminal Justice. For more information about the Division, visit its Web site [www.njdge.org](http://www.njdge.org).

## Highlights

### ❖ **Investigation Yields Arrest for Promoting Prostitution, Drug Sales —**

In June 2004, a waiter at Caesar's Hotel and Casino was indicted on charges of promoting prostitution and selling drugs. Christopher Chlan, who worked the Temple Bar and Grill within Caesar's, was accused of either arranging for the services of a prostitute or selling various quantities of cocaine to bar or casino patrons on several occasions between November 2003 and March 2004. The arrest was the result of an undercover investigation led by State Police detectives assigned to the Division of Gaming Enforcement. The investigation was coordinated by the Casino Prosecutions Bureau within the Division of Criminal Justice, and carried out with cooperation from Caesar's. Chlan, who was fired from his job, faces up to 20 years in prison if convicted on all counts.

### ❖ **Casino Robbery Suspects Plead Guilty —**

A cooperative effort by the Division of Gaming Enforcement, State Police and the



*From left to right: Gary Ehrlich, AAG; Mitchell Schwefel, Deputy Director; Thomas Auriemma, Director; Anthony Restuccia, Chief State Investigator; George Rover, AAG.*

Division of Criminal Justice resulted in the arrest and eventual guilty plea of three men who helped commit a July 2003 armed robbery at Bally's Park Place Casino. The three defendants — Eugene Wilder, Kenea Blann and Thomas Boyd — pleaded guilty to serving as lookouts and otherwise facilitating the \$6,000 robbery. Wilder, Blann and Boyd were each sentenced to five years in State Prison. A fourth defendant, Earl Dennis, who was suspected of being principal architect of the robbery plan, pleaded guilty and was sentenced to 23 years in prison.

### ❖ **Money Laundering Prosecution —**

An investigation involving the Division of Gaming Enforcement and the Casino Prosecutions Bureau within the Division of Criminal Justice resulted in the indictment of defendant Anastasios Samaras on money laundering and theft charges. Samaras was charged in November 2003 with repeatedly passing fraudulent \$1 million Interbank of New York "official checks" at the Hilton Casino in Atlantic City over a five-month period, and using the money for gambling purposes. The scheme went undetected for several months because two Interbank employees allegedly verified the checks as valid despite knowing they were fraudulent. The two employees pleaded guilty to conspiracy charges and agreed to cooperate in the State's investigation of Samaras. On the eve of his trial in June 2004, Samaras entered a guilty plea and was sentenced to six years in State Prison term. He also

made full financial restitution for the \$1 million in fraudulent Bank of New York checks he passed at the Hilton.

### ❖ **Investigations Designed to Preserve Industry Integrity —**

On an ongoing basis, the Division of Gaming Enforcement conducts investigations to ensure that suppliers and contractors who do business with the casino industry are in compliance with all State requirements, and have had no involvement in, or direct relationship to, illegal activity.

### ❖ **Director Named Head of International Gaming Association —**

Division Director Thomas Auriemma was elected Chairman in 2004 of the International Association of Gaming Regulators, a prestigious association of gaming regulators from 30 nations that meets annually to share information and discuss significant issues that affect the gaming industry. As chairman, Auriemma indicated he would focus his efforts on such vital issues as Internet gambling, and responsible gambling.



# Racing Commission

The core mission of the New Jersey Racing Commission is to govern, direct and regulate horse racing and pari-mutuel wagering in New Jersey.

The Racing Commission conducts vigorous oversight of horse racing matters throughout the State to ensure that racing is conducted in a fair and responsible manner. Commission staff members also provide administrative support to encourage the growth of the horse racing industry through expansion of wagering opportunities. For more information, visit the Racing Commission Web site [www.nj.gov/oag/racing](http://www.nj.gov/oag/racing).

## Highlights

### ❖ **Arrest/Suspension of Two for "Doping" Horses** —

In 2004, two men were indicted in connection with an ongoing investigation into the doping or "drenching" of race horses at the Freehold Raceway. The doping investigation was a cooperative effort involving State Police and the Division of Criminal Justice. Defendant Daniel Sheddin, a self-employed horse trainer, was charged with the third-degree crime of possessing a controlled dangerous substance, and the fourth-degree offenses of conspiracy and rigging a publicly exhibited contest. Defendant Bruce Chiodo, a horse groom, was charged with conspiracy and rigging a publicly exhibited contest.

"Drenching" is a racing industry term that refers to the administering of a liquid or prohibited substance into a horse's stomach via a tube inserted through the nose. In this case, the substance was a "milkshake" of sodium bicarbonate and Levothyroxine, a prescription drug commonly used to enhance physical performance. Both substances are barred under Racing Commission rules. The investigation, which led to the discovery of substances used in doping and paraphernalia in a barn in Burlington County, led to the removal or "scratching" of three horses slated to run in separate races at Freehold Raceway on Feb. 21, 2004. Notwithstanding any potential criminal penalties, the Racing Commission suspended Sheddin from the industry for seven years, and suspended Chiodo for six years. Sheddin also was fined \$2,000 by the Commission, and Chiodo was fined \$1,000. The Racing Commission

and state law enforcement agencies continue to be aggressive in their effort to identify possible doping, to investigate and, where appropriate, take swift action.

### ❖ **Account Wagering Becomes Operational** —

Account wagering — a new form of betting that will expand New Jersey's wagering base by offering the convenience of placing bets on horse races by telephone or computer — became reality in 2004. The long-awaited new system became operational on October 27, 2004, when the New Jersey Sports and Exposition Authority accepted the first computer-generated bets. The last time there was an expansion of wagering opportunities in New Jersey was more than a decade ago, in 1993, when the State began permitting the placement of bets on horse racing simulcasts at the casinos in Atlantic City. Legislation passed in 2001 provided that the New Jersey Racing Commission review and approve an account wagering participation agreement, and a subsequent application to conduct account wagering via computer and telephone. The process required substantial input from the Attorney General's staff and the Racing Commission.

### ❖ **Off-Track Wagering Agreement** —

An off-track wagering participation agreement was reached in 2004 that provides the basis for establishment of up to 15 off-track wagering facilities throughout New Jersey. The Racing Commission expects to begin reviewing the first applica-

tions for development of off-track betting sites sometime in 2005.

### ❖ **Gambling Addiction Prevention** —

Mindful that the expansion of wagering opportunities could lead to heightened concerns about gambling addiction, the Racing Commission is requiring — through its rulemaking process — that racetrack permit-holders contribute an aggregate of \$200,000 annually to the fund established to treat gambling addiction. In addition, the Commission has adopted rules that establish a self-exclusion list. A self-exclusion list provides an opportunity for problem gamblers to voluntarily exclude themselves from entry to racetracks, from account wagering and, eventually, from off-track wagering facilities.

### ❖ **Expansion of Thoroughbred Breeders Award Program** —

In 2004, the Racing Commission adopted a rule that expands the Thoroughbred Breeders Award Program to enable horses sired by New Jersey stallions, regardless of where they are foaled, to be eligible for New Jersey breeder's awards. The change should attract more quality thoroughbred stallions to stand in New Jersey, and thus improve the quality of New Jersey-bred horses.



From left to right: Anthony Socci, Assistant Director; Frank Zanzucchi, Director; Michael Vukcevic, Deputy Director.



# Also within the Department

The following agencies are, for administrative purposes, allocated to the Attorney General's Office. Each performs a vital function in relation to the core mission of the OAG and the Department of Law and Public Safety, which includes assisting crime victims, ensuring integrity in the electoral process, and making certain that state officers and employees in the executive branch conduct themselves ethically and avoid conflicts of interest:

## Election Law Enforcement Commission

ELEC administers and enforces laws requiring disclosure of campaign contributions and expenditures made by candidates and organizations participating in state, county and local elections. The commission also regulates lobbyists, and may accept and institute complaints, issue subpoenas, conduct investigations, issue advisory opinions, levy civil penalties and forward to prosecuting authorities evidence of willful and knowing violations. For more information, visit [www.elec.state.nj.us](http://www.elec.state.nj.us).

## Executive Commission on Ethical Standards

The commission administers and enforces the New Jersey Conflict of Interest Law. The Commission has jurisdiction over state officers and employees in the executive branch. It is authorized to initiate, receive, hear and review complaints, as well as conduct investigations and hold hearings. For more information, visit [www.nj.gov/oag/ethics](http://www.nj.gov/oag/ethics).

## Victims of Crime Compensation Board

The Board provides compensation to innocent victims of violent crime for some expenses they suffer as a result of the crime. In the case of the death of a crime victim, compensation may be paid for funeral expenses and loss of support to the victim's dependents. For more information, visit the VCCB at [www.nj.gov/victims](http://www.nj.gov/victims).

## State Athletic Control Board

The State Athletic Control Board has offices in Trenton and Atlantic City. Formerly part of the Division of Gaming Enforcement, the SACB is now a self contained board that falls under the direction of the Attorney General's Office for the Department of Law & Public Safety. The State Athletic Control Board was established by the Legislature in 1985 (N.J.S.A. 5:2A et. seq.) to ensure that all public boxing and other combative sports exhibitions, events, performances and contests are subject to an effective and efficient system of strict control and regulation. The Board's main purpose is to protect the safety and well being of all participants and promote the public confidence and trust in the conduct of public boxing and other combative sports. For more information, visit [www.nj.gov/oag/sacb](http://www.nj.gov/oag/sacb).

## Notes

# Attorney General's Legislative Initiatives

## Criminal Justice

**Expansion of DNA Testing Requirement, P.L. 2003, c.183** This law expands the pool of criminal offenders who must submit to DNA testing. Specifically, the law requires any person convicted of a first, second, third, or fourth degree offense – as well as anyone found not guilty of a crime by reason of insanity — to submit a biological sample for inclusion in the State's DNA data base. In addition, convicted offenders who are already in custody, on probation or under parole supervision must provide DNA samples. The expanded DNA program is funded by the imposition of a \$2 surcharge on all motor vehicle and traffic violations.

**Bail Source Rule, P.L. 2003, c.213** This law clarifies the authority of the Court to reject cash bail, or other security, that is acquired by means of criminal and unlawful conduct, or from an improper source, and specifies the factors that may be examined in making that determination.

**Identity Theft, P.L. 2003, c.184** This law made New Jersey's anti-identity-theft law among the nation's toughest. Specifically, the law removed the "presumption of non-incarceration" typically associated with third-degree crimes where identity theft is involved, thereby exposing anyone convicted of even a third-degree, identity-theft-related offense to possible jail time. The law also created a new, second-degree crime of using a false driver's license or other phony government credential to obtain a "legitimate" license (or other government document) that could verify identity. The law provides for payment of restitution to victims of identify theft, and removal – by order of the court – of all "bad credit" indicators assigned to identity theft victims.

**Counterfeit Goods, P.L. 2004, c.150** This act enhances the power of the Attorney General to enforce civil remedies related to trademark violations, including the authority to seize and destroy counterfeit or "knock-off" clothing and other goods, for the purpose of deterring criminal street gang activities.

## State Police /Homeland Security

**Marine Police/Coast Guard Enforcement, P.L. 2004, c.82** This law authorizes State Marine Police to assist the United States Coast Guard in the enforcement of federal laws, rules and regulations in the safety and security zones established by the Coast Guard. It also provides a mechanism for the State Police to work in partnership with the Coast Guard to more effectively monitor and regulate waterborne activity that poses a potential hazard to national security.

## Consumer Protection

**New Jersey Do Not Call Law, P.L.2003, c.76** This law regulates telemarketing practices by requiring the maintenance of a statewide "Do-Not-Call List," and prohibiting the making of unsolicited sales calls to any consumer whose name appears on the list. In addition, the law prohibits the making of any unsolicited telemarketing sales calls to any consumers between the hours of 9p.m. and 8 a.m., and prohibits telemarketers from employing any methods that would undermine a telephone caller identification service.

**Home Improvement Contractor's Registration Act, P.L.2004, c. 16** This law requires home improvement contractors to register with the Division of Consumer Affairs, and maintain general liability insurance, before they perform improvements. These requirements strengthen the State's ability to provide consumer protection and enforcement. In 2003, complaints concerning home improvements made up 14 percent of the total complaints received by the Division. The law implements a recommendation of the Division of Consumer Affairs' Elder Fraud Task Force Report.

## Elections

**Implementation of the Help America Vote Act, P.L.2004, c.88** This law implements portions of the federal "Help America Vote Act (HAVA) of 2002." HAVA authorized millions of dollars in federal aid to every state to fund the purchase of up-to-date, electronic voting systems, train poll workers, combat voter fraud, generate greater public awareness about registering to vote and voting, and conduct federal elections in a manner that ensure access to the polls by voters with disabilities.

## Civil Rights

**Housing Discrimination Amendments to Law Against Discrimination, P.L.2003, c.180** The amendments resulted in changes to the New Jersey Law Against Discrimination (LAD) as it pertains to housing discrimination. Specifically, the amendments were designed to render the provisions of the LAD "substantially equivalent" to those under the federal Fair Housing Act (FHA). These changes allowed the Division on Civil Rights to enter an agreement with the United States Department of Housing and Urban Development (HUD) to handle complaints under the FHA. This arrangement has increased the number of housing cases the Division investigates, and provides for the Division to receive compensation from HUD for its investigations.



